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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/587,175	07/25/2006	Takeo Endo	128828	7275
25944 7590 08/10/2011 OLIFF & BERRIDGE, PLC P.O. BOX 320850 ALEXANDRIA, VA 22320-4850				
EXAMINER				
JIANG, YONG HANG				
ART UNIT		PAPER NUMBER		
2612				
NOTIFICATION DATE		DELIVERY MODE		
08/10/2011		ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

OfficeAction25944@oliff.com
jarnstrong@oliff.com

Office Action Summary**Application No.**

10/587,175

Applicant(s)

ENDO ET AL.

Examiner

YONG HANG JIANG

Art Unit

2612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 4/14/2011.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 3-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
- Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

Applicant's amendment filed 4/14/2011 has been entered. Claims 5 and 6 are newly added. Claims 1 and 3-6 are pending.

Response to Arguments

Applicant's arguments filed 4/14/2011 have been fully considered but they are not persuasive.

Applicant argues on the last paragraph of page 4 that Autermann discloses an apparatus and method for adjusting mirrors, seat positions, steering columns, and other driver specific devices and does not disclose an anti-theft apparatus. And the system of Autermann is not related to the prevention of entry into the vehicle or access to the components of the vehicle. The examiner respectfully disagrees. Autermann clearly discloses the apparatus includes anti-theft features. Autermann discloses each driver of a vehicle has key or key card bearing a personal identification. When the driver attempts to open any vehicle of the key with this key authorization to open or start the vehicle is checked; if the identification is valid, the vehicle can be opened (See Col. 1, lines 46-50).

Applicant next argues on the 3rd paragraph of page 5 that Dix fails to overcome the deficiencies of Autermann because Autermann is related to driver-specific settings that relate to the operation of the vehicle and is not related to the prevention of access to the vehicle. And that one of ordinary skill in the art would not have combined the programmable vehicle access control system of Dix with the system of Autermann

because the systems are unrelated. The examiner respectfully disagrees. As indicated above, the Autermann is related to the prevention of access to the vehicle. Therefore, one of ordinary skill in the art would have combined the programmable vehicle access control system of Dix with the system of Autermann to further enhance the security features in the system of Autermann.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to

consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

1. Claim 1, 3-6 rejected under 35 U.S.C. 103(a) as being unpatentable over Autermann (US 6,122,580), and further in view of Dix et al. (US 2004/0263316).

Regarding claim 1, Autermann discloses an antitheft apparatus for a vehicle, which is installed on a vehicle and configured to allow operation of predetermined on-vehicle devices only when a user ID code obtained from a user of the vehicle and a reference ID code registered on the vehicle are identical (via key 1 encoded with an identifier ID to access vehicle functions when the identifier ID code matches data stored on the vehicle, Col. 1, lines 46-50 and Col. 3, line 46-64), comprising:

a transmitting unit for transmitting the reference ID code registered on the vehicle to a predetermined communications station (via radio transmitter FG transmitting ID code to central processor ZP, Col. 4, lines 48-54). (See Col. 3, line 46 to Col. 5, line 10)

Autermann did not specifically disclose a setting unit for adding or deleting the reference ID code to or from the vehicle; and when a new reference ID code is added to the vehicle via said setting unit, said transmitting unit transmits information relating to the added new reference ID code to said predetermined communication station.

Dix teaches a setting unit for adding or deleting the reference ID code to or from the vehicle (via electronic controller in vehicle to register new smart keys to operate the vehicle, smart keys may be enabled or disabled). (See Abstract)

From the teachings of Dix, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the apparatus of Autermann to

include a setting unit (operating station BS (e.g. keypad)) is also available on the vehicle to allow an authorized vehicle owner adding of new reference ID codes on the vehicle, thereby improving convenience of using the vehicle security system. Furthermore, since adding of new reference ID codes may be performed in the vehicle, it also would have been obvious to one of ordinary skill in the art to include the transmitting unit transmitting the newly added reference ID code to the communication station (central processor), thereby synchronizing the database to include the newly added reference ID code.

Regarding claim 3, Autermann discloses the antitheft apparatus for a vehicle of claim 1 characterized in that: said user ID code is an ID code registered on a vehicle key (See Col. 3, lines 56-60).

Regarding claim 4, the combination of Autermann and Dix discloses the structural elements of the claimed invention (See rejection on claims 1 and 2 above), wherein the combination of Autermann and Dix further discloses a database in the communication station configured to associate the added new ID code, on the basis of the addition information of the reference ID code transmitted from said transmitting unit of the antitheft apparatus for a vehicle, with the vehicle from which the addition information is transmitted and to then store it into a database, and is also configured to delete the deleted registered reference ID code, on the basis of the deletion information of the reference ID code transmitted from said transmitting unit of the antitheft apparatus for a vehicle, from the database into which it is stored with being associated with the vehicle from which the deletion information is transmitted (via database in

central processor ZP storing ID1, ID2, and IDx, See Autermann in view of Dix on claim 1; and Autermann Col. 4, lines 43-54).

Regarding claim 5, Autermann discloses the communication station is located outside the vehicle (via vehicle communicates with central processor through radio FG, Col. 4, lines 43-54).

Regarding claim 6, Autermann discloses the communication station is located outside the vehicle (via vehicle communicates with central processor through radio FG, Col. 4, lines 43-54).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to YONG HANG JIANG whose telephone number is (571)270-3024. The examiner can normally be reached on M-F 9:30 am to 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian A. Zimmerman can be reached on 571-272-3059. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Y. J./
Examiner, Art Unit 2612

/Brian A Zimmerman/
Supervisory Patent Examiner, Art Unit 2612